



## **Ordinance Number 554 Revised**

### **AN ORDINANCE MAKING A NUMBER OF CHANGES TO CHAPTER 182 OF THE CODE OF THE TOWN OF ELSMERE**

Sponsored By:           1st District Councilman John Jaremchuk Jr.  
                                  5th District Councilwoman Joann I. Personti

First and Second Reading:  
April 12, 2012

Results:           Passed           6 In Favor, 0 Opposed with 1 Absent

Revised and Resubmitted For First and Second Reading:  
May 10, 2012

Results:           Passed           7 In Favor, 0 Opposed

Third and Final Reading:  
July 12, 2012

Results:           Passed           7 In Favor, 0 Opposed

# **Ordinance Number 554**

## **Revised**

### **AN ORDINANCE MAKING A NUMBER OF CHANGES TO CHAPTER 182 OF THE CODE OF THE TOWN OF ELSMERE**

**WHEREAS**, The Mayor and Council wish to make changes to Chapter 182 of the Code of the Town of Elsmere is entitled.

#### **NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ELSMERE AS FOLLOWS:**

1. That Chapter 182 of the Code of the Town of Elsmere be re-named to "Rental Licenses"; and
2. That wherever the word "Permit" appears in this chapter it shall be changed to "License"; and
3. That Section 182-4 B(2) be deleted in its entirety and a new Section 182-4 B(2) be inserted in its place to read as follows;
  - (2) License fees are payable upon receipt and are due no later than November 1st.
4. That Section 182-4 B (3) of this chapter be deleted in its entirety.
5. That Section 182-4 B (4) be renumbered to 182-4 B (3)
6. That Section 182-4 B (5) be renumbered to 182-4 B (4)
7. That Section 182-6 be deleted in its entirety and a new Section 182-6 be inserted in its place to read as follows;

- 182-6 (A) Any person or persons who shall violate the provisions of this chapter, or who shall fail to comply with the legal notice or order issued by the Code Official pursuant to this chapter shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$300 nor more than \$500, or imprisonment of not more than 30 days, or both.
- (B) Each day that each violation continues shall be deemed a further offense punishable by a further sum of \$50 per day, per violation. The imposition of a penalty for any violation of this chapter shall not excuse the violation or permit it to continue.

- (C) The owner of any rental property who shall fail to register or to pay to the Town the appropriate fee(s) as determined by this chapter or fails to comply with Section 182-4 B, of this chapter shall pay a late fee of \$100 for each and every rental unit which they failed to register or to pay to the Town the appropriate fee(s).

April 12, 2012 & May 10, 2012  
First and Second Reading

June 14, 2012  
Third and Final Reading

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Deborah A. Norkavage, Mayor

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Joann I. Personti, Secretary

Approved as to form:

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Town Solicitor

## **SYNOPSIS ORDINANCE 554**

This ordinance changes the name of Chapter 182 of the Code of the Town of Elsmere from "Rental Permits" to "Rental Licenses" and makes it clear that a rental property owner who fails to comply with this chapter shall be assessed a late fee of \$100.00 for each and every rental unit that is not in compliance with this chapter and removes the ability for an apartment complex to delay the payment of 1/2 of their rental fees.

### **Fiscal Impact:**

The exact fiscal impact of this Ordinance is unknown. It is hoped that the owners of rental properties will comply with this chapter thereby making the fiscal impact \$0.00. However, the potential impact of non-compliance ranges from \$100.00 should a single rental property owner not comply, to as much as \$15,000.00 should the owners of one of the Town's largest apartment complexes not comply.